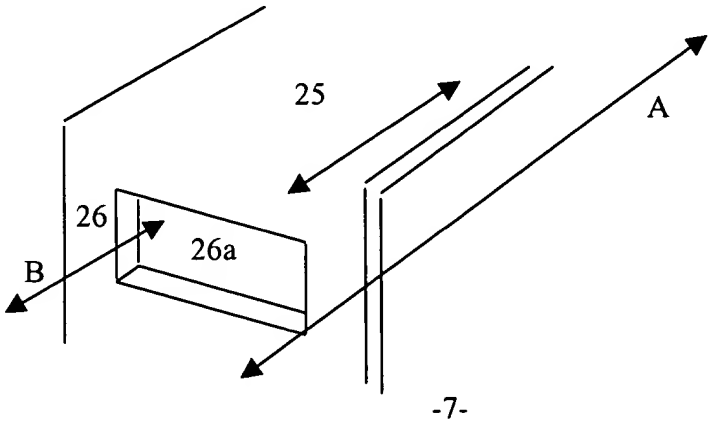
REMARKS

In the Office Action, the Examiner allowed claims 5-9 and rejected Claims 1-4 and 10 under 35 U.S.C. 102(b) as being anticipated by Burns (U.S. 4,114,925). Referring to claim 1 in the present application, Burns does not teach or suggest the claimed features of a hook for a mail bag, e.g. a hook for holding a mail bag on a frame. The device in Burns is merely for holding a pencil and/or a card, and is not designed to hold or be attached to a mail bag and it is not clear how the Burns device could be even modified to do so.

In particular, Burns does not teach a hook comprising "a planar attachment portion for attachment to a mail bag, the attachment portion defining a longitudinal axis" as in claims 1 and 10, e.g. a flat portion to be attached to a mail bag such as by stitching. The attachment portion provides a way to connect the mail bag to the hook so that the mail bag may be held on a frame using the hook. Burns merely shows two slots (26a and 27a) that allow a strap 27 to pass through the holder device, this strap being wrapped around a golf bag so the holder is kept with the bag. The Burns disclosure does not discuss or imply how the device could be used in any way to hold a bag in any kind of frame.

Further, Burns does not teach a hook whereby the attachment portion defines a longitudinal axis and "a planar supporting portion extends from the attachment portion in a direction of the longitudinal axis, the planar supporting portion being generally coplanar with the attachment portion", e.g. the planar supporting portion extends from the attachment portion, the two portions lying in the same plane. In Burns, the supporting portion 25 does not extend from the attachment portion (26a, 27a) but extends from either the leg 26 or 27. So taking the shorter inside surface of the slots 26a and 27a as defining the longitudinal axis, for example, as shown below:



then it is clear that the attachment portion (26a, 27a) (as defined by the Examiner) and the supporting portion (25) are not lying in the same plane, as each lies in a plane shown by their respective arrows (i.e. they are not coplanar). In other words, for the supporting portion 25 to extend in a direction of the longitudinal axis, then the axis must be as shown by arrow A. Therefore, this indicates that the portion of the attachment portion that defines the longitudinal axis (in the view of the Examiner) must be located somewhere within the slot 26a with a surface in the direction of arrow B. At no point in this defined area does the arrow B lie in the same plane as the supporting portion. Alternatively, in case the Examiner decides to take the view that either the leg 26 or 27 is the attachment portion, then it cannot be considered that the leg 26 or 27 and the supporting portion 25 are coplanar. Therefore, the Applicant believes that claim 1 is novel and inventive over Burns under the requirements of 35 U.S.C. 102(b) and that Claims 2-4 depending therefrom and further defining the invention are likewise patentable as well as Claim 10.

The Examiner also rejected Claims 1-4 and 10 under 35 U.S.C. 102(e) as being anticipated by Aszody (U.S. 6,243,925). The Applicant notes that the device in Aszody is merely a multipurpose holding device for holding matching garments together and is not designed to hold and would not be able to support the weight of a mail bag.

Referring to the claimed feature wherein the retaining portion is "resiliently deformable away from the plane of the supporting portion" (Claims 1 and 10 as currently amended), Aszody does not disclose this feature. Indeed, for the Aszody device to work, the retaining portion 3 must deform **into** the plane of the supporting portion so as to grip the clothing against the friction increasing rough area 8. Thus, Aszody does not disclose or imply all the features of claims 1 and 10 and the Applicant believes the subject invention as defined by Claims 1 and 10 is patentable under the requirements of 35 U.S.C. 102(e) over Aszody.

Further, the Aszody device clearly lacks the claimed feature of "a retaining portion which extends in a plane of the supporting portion" (Claims 1 and 10 as currently amended). In contrast, the supporting portion 2 and the retaining portion 3 of Aszody are interconnected by the neck 4 at angles α and β respectfully so as to lie in intersecting, but clearly not coplanar orientations (cf Figure 2). This arrangement "is expedient because it permits accordingly strong

but nevertheless gentle fastening with the fixing unit" (Col. 3, lines 22-24) and "such that the necessary prestress arises" (Col. 3, line 43).

In addition to the arguments above for claim 1, which are also asserted against the Examiner's comments concerning claim 10, claim 10 further includes the feature of the retaining portion gripping a projection in order to inhibit the hook from being inadvertently released. This feature allows the hook to be attached to a frame such that the mail bag attached to the hook is not inadvertently released from the frame. Neither Burns nor Aszody disclose or imply such a feature. Burns merely discloses the holding device holding a pencil to prevent the pencil from being released, and does not disclose the holding device holding a projection in order to inhibit the hook from being released. The device in Aszody merely shows the retaining portion holding pieces of clothing to prevent the pieces of clothing from being released from the device and does not show the retaining portion holding a projection to inhibit the device being released. Therefore, claim 10 is novel and inventive over Burns and Aszody.

The Applicant also respectfully adds new claims 11 and 12 which are partially based on the accepted wording of claim 9.

New claim 11 is for a mail bag hook for removably attaching a mail bag to a mail bag support, the support including locating projections, the mail bag hook comprising: an attachment portion for fixed attachment to the mail bag, the attachment portion extending in a plane; a co-planar supporting portion which extends from the attachment portion in the same plane, the supporting portion defining an aperture therethrough; and a resilient retaining portion which extends substantially coplanar with the supporting portion in an unstressed condition, so as to partially occlude the aperture of the supporting portion, said resilient retaining portion being resiliently deformable away from the plane of the supporting portion under applied force such that, in an attached condition at least one of the locating projections passes through the aperture to attach the resilient retaining portion to the support, the retaining portion being in a first stressed condition wherein movement of the assembly to a detached condition while maintaining general alignment of the assembly along the vertical axis induces greater second stressed conditions so as to inhibit displacement of the assembly from the mail bag support. No prior art discloses or implies such a device. In particular, neither Burns nor Aszody disclose or imply a

locating projection passing through an aperture in order to secure the device to a support. Therefore, claim 11 is believed to be novel and inventive

New claim 12 is for a mail bag hook assembly attached to a mail bag having an edge for removable attachment to a mail bag support, the support including locating projections, the assembly comprising: an attachment portion attached to the mail bag, the attachment portion extending upwardly, and away from the edge of the mail bag; a supporting portion which extends from the attachment portion, the supporting portion defining an aperture therethrough; and a resilient retaining portion above the edge of the bag partially occluding the aperture of the supporting portion in an unstressed condition, said resilient retaining portion being resiliently deformable away from the plane of the supporting portion under applied force such that, in an attached condition, the retaining portion is in a first stressed condition and wherein movement of the assembly to a detached condition while maintaining general alignment of the assembly along the vertical axis induces greater second stressed conditions so as to inhibit displacement of the assembly from the mail bag support. No prior art discloses or implies such a feature. In particular, neither Burns nor Aszody disclose or imply a device that is used to attach a bag to a support. Therefore claim 12 is also believed to be novel and inventive over the prior art.

SUMMARY

From the foregoing, the Applicant believes that claim 1-4 and 10 as well as new claims 11 and 12 of the application as currently amended are patentable under 35 U.S.C. 102 over both the Burns and Aszody references as well as the other art of record. The Applicant thus believes that this application is in a condition ready for allowance and respectfully requests prompt issuance of a notice of allowability. The Applicant believes that this amendment is fully responsive to the rejections made by the Examiner in the Office Action, however should there remain any further impediment to the allowance of this application that might be resolved by a telephone conference, the Examiner is respectfully requested to contact the Applicants undersigned representative at the indicated telephone number. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 8/20/03

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